

ENTERED

November 08, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

JUAN DANIEL VALADEZ,

Plaintiff,

VS.

THE GEO GROUP, INC. *et al.*,

Defendants.

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CIVIL ACTION NO. 5:22-CV-16

ORDER

The United States Magistrate Judge has issued a Report and Recommendation (the “Report”) (Dkt. No. 10). In the Report, the Magistrate Judge concluded that Plaintiff improperly joined Defendant Noel Navarro (Dkt. No. 10). Because Navarro was improperly joined, the Magistrate Judge recommended that the Court should ignore his citizenship for the purposes of diversity jurisdiction and deny Plaintiff’s motion to remand (*id.*).

No party filed objections within the 14-day objection period. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). The parties therefore waived their right to a *de novo* review of the Report. *See id.* Nonetheless, the Court has reviewed the Report and agrees with its ultimate conclusion. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (holding the district judge retains discretion to evaluate the uncontested portions and afford them “such weight as their merit commands”); *United States v. Smith*, 354 F. App’x 99, 101 (5th Cir. 2009).

The Report is hereby **ADOPTED**. Plaintiff’s motion to remand (Dkt. No. 4) is

DENIED. Because Navarro was improperly joined, the Clerk of Court is **DIRECTED** to **TERMINATE** him as a Defendant in this action. Because Navarro is no longer a live Defendant in this case, his pending motion to dismiss (Dkt. No. 7) is **DENIED AS MOOT.**

It is so **ORDERED.**

SIGNED November 8, 2022.

A handwritten signature in black ink, reading "Marina Garcia Marmolejo", written over a horizontal line.

Marina Garcia Marmolejo
United States District Judge